

RESOLUTION NO. 2018-R-159

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, PROVIDING FOR TERMINATION OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF NORTH MIAMI AND OPA-LOCKA COMMUNITY DEVELOPMENT CORPORATION, INC. FOR THE DEVELOPMENT OF A CITY-OWNED PROPERTY LOCATED AT 1046 NE 128 STREET FOR THE CONSTRUCTION OF ELDERLY HOUSING (“PROJECT”); PROVIDING FOR THE SELECTION OF A NEW COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (“CHDO”) TO COMPLETE THE PROJECT; FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE SELECTED CHDO AND TO DO ALL THINGS NECESSARY AND TO EXECUTE ALL DOCUMENTS TO EFFECTUATE THE DEVELOPMENT OF THE PROJECT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, on August 23, 2016, under Resolution No. 2016-R-86, the Mayor and City Council of the City of North Miami (“City”) approved the execution of a Memorandum of Understanding with the Opa-Locka Community Development Corporation, Inc., (“Opa-Locka CDC”); and

WHEREAS, under the terms of the MOU, the City entered into a partnership with Opa-Locka CDC whereby the City dedicated approximately One Hundred Sixty-Two Thousand Forty-Five Dollars (\$162,045.00) from its TD Bank Grant and CHDO funds, towards the development of a property donated to the City located at 1046 NE 128th Street (“Subject Property”), and

WHEREAS, Opa-Locka CDC committed to leverage their own funds to help develop the Subject Property with the construction of elderly housing, at an estimated total project cost of Three Hundred Thirty Thousand Dollars (\$330,000.00) (“Project”); and

WHEREAS, the City has issued a Notice of Default to Opa-Locka CDC for failure to submit any financing evidence to ensure project completion under the terms of the MOU; and

WHEREAS, to date, Opa-Locka CDC has not submitted any evidence showing that adequate financing has been secured for the Project; and

WHEREAS, the City Administration recommends termination of the current MOU with Opa-Locka CDC and partnership with a new Community Housing Development Organization

("CHDO") to ensure Project completion; and

WHEREAS, the Mayor and City Council find that termination of the current Memorandum of Understanding and the procurement of a new CHDO for the development and realization of the Project, is in the best interest of the City.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AS FOLLOWS:


Section 1. Termination of MOU. The Mayor and Council of the City of North Miami, Florida, hereby authorize the termination of the Memorandum of Understanding, between the City of North Miami and Opa-Locka Community Development Corporation, Inc.


Section 2. Authority of City Manager and City Attorney. The Mayor and Council of the City of North Miami, Florida, hereby authorize the City Manager and City Attorney to select a new Community Housing Development Organization ("CHDO") and to negotiate and execute a Memorandum of Understanding for the development of a City-owned property located at 1046 NE 128th Street, for the construction of elderly housing.

Section 3. Authority of the City Manager. The Mayor and Council of the City of North Miami, Florida, hereby authorize the City Manager to do all things necessary and to execute all documents to effectuate the development of the Project.

Section 4. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 11th day of December, 2018.


DR. SMITH JOSEPH
MAYOR

ATTEST: 

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

for 
JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Joseph

Seconded by: Galvin

Vote:

Mayor Smith Joseph, D.O., Pharm. D.	<u>X</u>	(Yes)	<u> </u>	(No)
Vice Mayor Carol Keys, Esq.	<u>X</u>	(Yes)	<u> </u>	(No)
Councilman Scott Galvin	<u>X</u>	(Yes)	<u> </u>	(No)
Councilman Philippe Bien-Aime	<u>X</u>	(Yes)	<u> </u>	(No)
Councilman Alix Desulme	<u>X</u>	(Yes)	<u> </u>	(No)